

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
One 2007 Harley Davidson Street Glide	:	Civil No.
Motorcycle VIN # 1HD1KB4197Y722798,	:	
\$3,364.00 in United States Currency,	:	
\$10,371.41 Seized from PNC Bank	:	
Account No. 5570194743,	:	
and \$15,077.18 Seized from PNC Bank	:	
Account No. 5570736901	:	
	:	
Defendants.	:	

: : : : : :

VERIFIED COMPLAINT FOR FORFEITURE

Plaintiff, the UNITED STATES OF AMERICA, by its attorneys, Rod Rosenstein, United States Attorney for the District of Maryland, and Stefan D. Cassella, Assistant United States Attorney, brings this complaint and alleges as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

NATURE OF THE ACTION

1. This is a civil forfeiture action against properties involved in violations of the Controlled Substances Act that are subject to forfeiture pursuant to 21 U.S.C. §§ 881(a)(4) and (6).

THE DEFENDANT *IN REM*

2. The defendants are One 2007 Harley Davidson Street Glide Motorcycle VIN # 1HD1KB4197Y722798, \$3,364.00 in United States currency, \$10,371.41 seized from PNC Bank account number 5570194743, and \$15,077.18 seized from PNC Bank account number

5570736901 (the “Defendant Properties”), which were seized on July 27 and July 31, 2012, from Robert Scott Grieninger, and subsequently were placed in the custody of the Drug Enforcement Administration in the District of Maryland where they remain.

JURISDICTION AND VENUE

3. Plaintiff brings this action *in rem* in its own right to forfeit and condemn the Defendant Properties. This Court has jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, over an action for forfeiture under 28 U.S.C. § 1355(a), and over this particular action under 21 U.S.C. § 881.

4. This court has *in rem* jurisdiction over the Defendant Properties under 28 U.S.C. § 1355(b).

5. Venue is proper in this district pursuant to 28 U.S.C. § 1355(b)(1) because the acts or omissions giving rise to the forfeiture occurred in this district and pursuant to 28 U.S.C. § 1395 because the properties are located in this district.

BASIS FOR FORFEITURE

6. The Defendant Properties are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4) as a vehicle used, or intended to be used, to transport, or in any manner facilitate the transportation, sale, receipt, possession, or concealment of controlled substances, and pursuant to 21 U.S.C. § 881(a)(6) because it constitutes (1) money, negotiable instruments, securities and other things of value furnished or intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; and (3) money, negotiable instruments, and securities used or intended to be used to facilitate a violation of the Controlled Substances Act.

FACTS

7. The forfeiture is based upon, but not limited to, the evidence outlined in the attached Declaration of Haven E. Smith, Task Force Officer of the Drug Enforcement Administration, which is incorporated herein by reference.

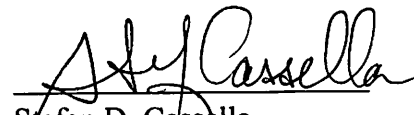
WHEREFORE, THE Plaintiff prays as follows:

1. That any person or persons having any interest therein be cited to appear herein and answer the Complaint;
2. That a Warrant of Arrest *in rem* issue to the United States Marshal commanding the arrest of the Defendant Properties;
3. That Judgment of Forfeiture be decreed against the Defendant Properties;
4. That upon Final Decree of Forfeiture, the United States Marshal dispose of the Defendant Properties according to law;
5. That the Plaintiff has such other and further relief as the case may require.

Dated: June 11, 2013

Respectfully submitted,

Rod J. Rosenstein
UNITED STATES ATTORNEY
District of Maryland



Stefan D. Cassella
Assistant United States Attorney
36 South Charles Street
Fourth Floor
Baltimore, Maryland 21201
Tel: (410) 209-4800

DECLARATION

This affidavit is submitted in support of a complaint for forfeiture of one 2007 Harley Davidson Street Glide Motorcycle, \$3,364.00 in United States Currency, \$10,371.41 Seized from PNC Bank Account No. 5570194743, and \$15,077.18 Seized from PNC Bank Account No. 5570736901.

I, Haven E. Smith, Task Force Officer of the Drug Enforcement Administration, submit that there are sufficient facts to support a reasonable belief that the 2007 Harley Davidson Street Glide Motorcycle, \$3,364.00 in United States Currency, \$10,371.41 Seized from PNC Bank Account No. 5570194743, and \$15,077.18 Seized from PNC Bank Account No. 5570736901 constitute (1) money, negotiable instruments, securities and other things of value furnished and intended to be furnished in exchange for a controlled substance in violation of the Controlled Substances Act; (2) proceeds traceable to such an exchange; and (3) money, negotiable instruments, and securities used and intended to be used to facilitate a violation of the Controlled Substances Act in violation of 21 U.S.C. § 841, and thus are subject to forfeiture pursuant to 21 U.S.C. § 881(a)(6). I further submit that there are sufficient facts to support a reasonable belief that the 2007 Harley Davidson Street Glide Motorcycle constitutes a vehicle used, or intended to be used, to transport, or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances in violation of 21 U.S.C. § 841, and thus is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

a. On July 27, 2012, detectives from the Charles County Sheriff's Office, assisted by Drug Enforcement Administration (DEA) Group 34, executed a search and seizure warrant at the business managed by Robert Scott Grieninger (R. Grieninger), Scooter's Garage, located at 5130 Hawthorne Road, La Plata, Maryland.

b. This search warrant was based on surveillance and several drug transactions between R. Grieninger's nephew, Christopher Grieninger, and a confidential source from this business location.

c. When the search was executed, R. Grieninger was located in the garage's business office and identified by his Maryland driver's license.

d. Four loaded firearms were also located in the office with R. Grieninger.

e. R. Grieneringer has been convicted of felonies that disqualify him from ever owning, possessing, or being in the vicinity of firearms.

f. A police K-9 search of the business resulted in a positive alert to the presence of drugs in the 2007 Harley Davidson Street Glide Motorcycle parked just outside the single bay of the garage.

g. The 2007 Harley Davidson Street Glide Motorcycle is registered and licensed to R. Grieneringer.

h. The saddle bags of R. Grieneringer's 2007 Harley Davidson Street Glide Motorcycle contained approximately 75 new and used small ziplock bags and two digital scales with suspected cocaine residue on both their weighing surfaces.

i. Small ziplock bags are commonly used to package cocaine for street sales.

j. The police K-9 search of the business also resulted in a positive alert to the presence of drugs in R. Grieneringer's "Iron Horsemen" leather motorcycle vest located in the garage.

k. The "Iron Horsemen" is a nationally recognized outlaw motorcycle gang.

l. At the time of the search, R. Grieneringer was the Southern Maryland chapter president of the "Iron Horsemen."


m. R. Grieneringer's motorcycle vest contained three one-ounce plastic bags of suspected cocaine.

n. A small sample of the suspected cocaine from R. Grieneringer's "Iron Horsemen" vest was subjected to a chemical field test. The test resulted in a positive reaction for the presence of cocaine.

o. A large red in color toolbox in the garage was found to contain \$3,364.00 in U.S. currency and one 1 ounce silver dollar, a picture of R. Grieneringer, an "Iron Horsement" 1%er sticker, 8 credit cards all with the name R. Grieneringer, and R. Grieneringer's Maryland driver's license. There were no other items of identification in this toolbox belonging to anyone else other than R. Grieneringer. There were several large tool boxes throughout this garage and this tool box was the only one containing personal items belonging to R. Grieneringer and appeared to be his toolbox. The U.S. currency found in this tool box was found inside a small locked red in color lock box (key was in it) that was in this toolbox next to the above listed identifying identification belonging to R. Grieneringer.

- p. The \$3,364.00 in U.S. currency was seized as drug proceeds.
- q. Also on July 27, 2012, detectives executed a search and seizure warrant at R. Grieninger's residence located at 6000 Winters Place, La Plata, Maryland.
- r. Christopher Grieninger lived in the basement area of the residence, while R. Grieninger lived on the upper floor of the residence.
- s. R. Grieninger's living area of the residence contained, among other things, a loaded Derringer pistol and additional live rounds of ammunition of the same caliber.
- t. R. Grieninger's living area also contained a small ziplock bag of suspected cocaine.
- u. On July 31, 2012, detectives executed a search and seizure warrant authorizing the seizure of bank records and funds from R. Grieninger at PNC Bank in La Plata, Maryland.
- v. On August 29, 2012, detectives from Charles County received numerous bank documents pertaining to PNC Bank account number 5570194743 in the name of Robert Scott Grieninger and Karen Elaine Clement (Clement). They also received a cashier's check in the amount of \$10,371.41, for the remaining funds in the account.
- w. PNC Bank account number 5570194743 was held jointly by R. Grieninger and his live-in girlfriend at the time, Clement. There are no other names on the account.
- x. The PNC Bank account number 5570194743 funds were seized as drug proceeds.
- y. Also on August 29, 2012, detectives from Charles County received numerous bank documents pertaining to PNC Bank account number 5570736901 in the name of Robert Scott Grieninger. They also received a cashier's check in the amount of \$15,077.18, for the remaining funds in the account.
- z. PNC Bank account number 5570736901 was held solely by R. Grieninger. There are no other names on the account.
- aa. The PNC Bank account number 5570736901 funds were seized as drug proceeds.
- bb. As a result of the execution of the search and seizure warrants, R. Grieninger was charged with possession of a controlled dangerous substance, possession of a controlled dangerous substance with intent to distribute, possession of equipment to produce a controlled dangerous substance, and several counts of firearms possession with a felony conviction.
- cc. R. Grieninger has no reported income.

I DECLARE UNDER PENALTY OF PERJURY PURSUANT TO TITLE 28 U.S.C. § 1746 THAT THE FACTS SUBMITTED BY THE CHARLES COUNTY SHERIFF'S OFFICE, IN REFERENCE TO THE SEIZURE OF ONE 2007 HARLEY DAVIDSON STREET GLIDE MOTORCYCLE, \$3,364.00 IN UNITED STATES CURRENCY, \$10,371.41 SEIZED FROM PNC BANK ACCOUNT NO. 5570194743, AND \$15,077.18 SEIZED FROM PNC BANK ACCOUNT NO. 5570736901 FROM ROBERT SCOTT GRIENINGER ARE ACCURATE, TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.




Haven E. Smith
Task Force Officer
Drug Enforcement Administration

VERIFICATION

I, Stefan D. Cassella, declare under penalty of perjury as provided by 28 U.S.C. § 1746, that the foregoing Verified Complaint for Forfeiture is based on reports and information furnished to me by the Drug Enforcement Administration and that everything contained therein is true and correct to the best of my knowledge and belief.

Dated: June 11, 2013



Stefan D. Cassella
Assistant U.S. Attorney

MEMORANDUM

DATE: June 11, 2013

TO: Kristine Cupp
U.S. Marshal Service

FROM: Theresa Tepe
Paralegal Specialist
U.S. Attorney's Office - District of Maryland

RE: **U.S. v. One 2007 Harley Davidson Street Glide Motorcycle
VIN 1HD1KB4197Y722798,
\$3,364.00 U.S. Currency,
\$10,371.41 seized from PNC Bank Acct. # 5570194743,
\$15,077.18 seized from PNC Bank Acct. # 5570736901**

Civil Action No.

CATS ID 12-DEA-571587, -571577, -571716, -571723

GD-12-0365

The United States has filed a forfeiture action against One 2007 Harley Davidson Street Glide Motorcycle VIN 1HD1KB4197Y722798, \$3,364.00 U.S. Currency, \$10,371.41 seized from PNC Bank Acct. # 5570194743, and \$15,077.18 seized from PNC Bank Acct. # 5570736901 . A copy of the Complaint for Forfeiture is attached.

Notice of this seizure will be published at www.forfeiture.gov pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims.

Thank you.

Attachment

**U.S. Department of Justice
United States Marshals Service**
**PROCESS RECEIPT AND
RETURN**

PLAINTIFF UNITED STATES OF AMERICA	COURT CASE NUMBER
DEFENDANT One 2007 Harley Davidson Street Glide Motorcycle, VIN 1HD1KB4197Y722798, et. al.	TYPE OF PROCESS Verified Complaint in Rem
SERVE AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN GD-12-0365 / 12-DEA-571587, -571577, -571716, -571723
	ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code)

SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW:

Theresa Tepe, FSA Paralegal Specialist
U.S. Attorney's Office
36 S. Charles Street, 4th floor
Baltimore, Maryland 21201

Number of process to be served with this Form - 285

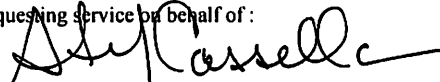
Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service)

Arrest property. Fill in the date of arrest in this process receipt and return our copy.

Signature of Attorney or other Originator requesting service on behalf of:



 TELEPHONE
NUMBER
410.209.4800

 DATE

6/11/13
SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process No. _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

 Time
am
pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges (including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount Owed to US Marshal or	Amount or Refund
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REMARKS: